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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/619,723      | 07/15/2003  | Bobby Gene Ward      | 17903               | 7125             |

7590 04/21/2004

Joseph A. Tessari, Esquire  
Tyco Technology Resources  
Suite 140  
4550 New Linden Hill Road  
Wilmington, DE 19808-2952

EXAMINER


LEON, EDWIN A

ART UNIT PAPER NUMBER

2833

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |   |
|------------------------------|------------------------|---------------------|---|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |   |
|                              | 10/619,723             | WARD ET AL.         |   |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |   |
|                              | Edwin A. León          | 2833                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 6, 10 and 12 is/are rejected.
- 7) ☒ Claim(s) 2-4, 7-9, 11 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>112003</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Objections***

1. Claim 9 is objected as being in improper form because it depends on itself.

Accordingly, the claim has not been further treated on the merits.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1, 5-6, 10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Taguchi et al. (U.S. Patent No. 6,383,020). With regard to Claim 1, Taguchi et al. discloses an apparatus for connecting electrical components comprising; a plug means (2) having a generally box-like configuration; a plug terminal position assurance means (7) having a generally box-like configuration, the plug terminal position assurance means (7) being structured to fit at least partially within the plug

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means (2); a cap means (5) having a generally box-like configuration; a cap terminal position assurance means (6) having a generally box-like configuration, the cap terminal position assurance means (6) being structured to fit at least partially within the cap means (5); wherein, when the plug means (2) is mated to the cap means (5), the plug means (2), the cap means (5), the plug terminal position assurance means (7) and the cap terminal position assurance means (6) interlock to form a box-in-box-in-box-in-box construction. See Figs. 1-8.

With regard to Claim 5, Taguchi et al. discloses the plug terminal position assurance means (7) comprising cutaways (34, end part of 19), which mate with at least one corresponding key (35) and at least one corresponding rail (26) on the cap means (5). See Figs. 1-8.

With regard to Claim 6, Taguchi et al. discloses each of the plug means (2) and cap means (5) comprising at least one cavity (8, 28) adapted to receive and retain therein an electrical terminal (Column 3, Lines 59-67 and Column 4, Lines 32-40). See Figs. 1-8.

With regard to Claim 10, Taguchi et al. discloses the plug means (2) further comprising a detent (72), which cooperates with a slot (59) on the plug terminal position assurance means (7) to retain the plug terminal position assurance means (7) in position. See Figs. 1-8.

With regard to Claim 12, Taguchi et al. discloses the cap means (5) further comprising a detent (35), which cooperates with a slot (34) on the cap terminal position

assurance means (6) to retain the cap terminal position assurance means (6) in position. See Figs. 1-8.

### ***Allowable Subject Matter***

4. Claims 2-4, 7-8, 11 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The references fail to teach, disclose, or suggest, either alone or in combination the cap terminal position assurance means comprising cutaways that mate with at least one corresponding key and at least one corresponding rail on the cap means and each cavity comprising a deflectable locking finger and a rib which cooperate to retain the electrical terminal in the cavity, the detent comprising a two-stage detent and in combination with the rest of the limitations of the base and intermediate claims.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ward et al. (U.S. Patent No. 6,183,299), Berg et al. (U.S. Patent No. 5,928,038), Wolla et al. (U.S. Patent No. 5,964,621) and Marpoe, jr. et al. (U.S. Patent No. 6,514,098) disclose apparatuses having plug and cap means, box-like configurations and terminal positions assurance means.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Edwin A. León*

Edwin A. León  
AU 2833

EAL  
April 16, 2004